

**Honorable court of record
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

**UNITED STATES OF AMERICA
Plaintiff**

V.

**SHANE C. BUCZEK, a U.S. TRUST
Defendant**

**shane-christopher: buczek,
as third-party intervener and Grantor / Beneficiary
Petitioner**

09-CR-121-S

**JUDICIAL NOTICE
of
emails received February 17, 2010
Court to take Judicial
Notice under Federal Rules of
Evidence 201(f)**

**JUDICIAL NOTICE OF EMAILS RECEIVED FEBRUARY 17, 2010
COURT TO TAKE JUDICIAL
NOTICE UNDER FEDERAL RULES OF
EVIDENCE 201(F)**

Petitioner, shane-christopher: buczek, heretofore and hereafter "Petitioner", notices the court to take Judicial Notice of **emails received February 17**, under Federal Rules of Evidence 201(f).

I, shane-christopher: buczek, declare under penalties of perjury under the laws of these United States of America that the foregoing is true and correct to the best of my knowledge, is made in good faith and is admitted if not rebutted. I certify that the facts stated herein are true and correct under the penalty of perjury as provided by 28 USC Section 1746, that I am over the age of 18, and that I have first hand knowledge first hand of the facts stated herein are true and correct.

**09-CR-121-S
JUDICIAL NOTICE OF EMAILS RECEIVED FEBRUARY 17, 2010**

In Trust,

By: friend of the court

shane-christopher: buczek
as third party intervener and
Grantor/Beneficiary/Petitioner for:
SHANE C. BUCZEK a US TRUST
All rights reserved Without Prejudice
Without recourse UCC 1-308
September 14, 2010

Exhibit "A": February 18, 2010 TRANSCRIPTS Page 22 line 19 to 21 "threatening emails
and,

Exhibit "B": List of FOREIGN AGENTS , NO GREEN CARD, FOREIGN
REGISTRATION STATEMENT NOT ON FILE WITH NO BONDING AGENT OR
LICENSES TO DO BUSINESS IN THE STATE (TITLE 22 SEC. 611 and 612)

CC.
Judge Kenneth Schroeder, Jr.
68 Court Street 4th Floors
Buffalo, New York [14202]

CERTIFICATE OF SERVICE

On this the 14th day of September 2010, a true and correct copy was personally 09-CR 121,09-CR-141 and 08-CR-054 delivered to the Clerk of the Court and the Clerk will serve AUSA by electronic filing

09-CR-121-S

JUDICIAL NOTICE OF EMAILS RECEIVED FEBRUARY 17, 2010

3 of 3

EXHIBIT “A”

Subj: **Hey Jackass**
Date: 2/17/2010 2:37:28 P.M. Eastern Standard Time
From: shanebuczekscum@gmail.com
To: ronpaulsilver@aol.com

Hey Scumbag,

Why don't you tell everyone you opened an account at Best Buy in Hamburg and then made a number of major purchases including a 52" flat screen TV, and washer and dryer, and then instructed HSBC to get the funds to pay off his \$8,800 in appliance purchases by debiting a non-existent account at Depository Trust and Clearing Corporation, a commercial bank in New York City that clears stock and bond transactions for major stockbrokers, but does not have accounts with any individuals (including you asshole).

You are a thief with mental illness. You are an idiot who will get what you deserve. You will be in jail in a matter of a year or two, because you can't help yourself.

I am one of many people who absolutely despises you. We will be watching from the sidelines as the Judicial system takes its course

Wednesday, February 17, 2010 AOL: RonpaulSilver

Subj: **Re: Hey Jackass YOU MUST BE FROM BUFFALO**
Date: 2/17/2010 2:42:31 P.M. Eastern Standard Time
From: shanebuczekscum@gmail.com
To: RonpaulSilver@aol.com

Your so smart! Your techniques are really working for you! Hows the ankle bracelet asshole?

I didn't know you were bald? you are a loser and always will be. How does it feel to be an embarrassment to your family and your community. We all hope you move

On Wed, Feb 17, 2010 at 2:39 PM, <RonpaulSilver@aol.com> wrote:
great to meet you!!!! Now time for education!!!!!!

In a message dated 2/17/2010 2:37:28 P.M. Eastern Standard Time, shanebuczekscum@gmail.com writes:

Hey Scumbag,

Why don't you tell everyone you opened an account at Best Buy in Hamburg and then made a number of major purchases including a 52" flat screen TV, and washer and dryer, and then instructed HSBC to get the funds to pay off his \$8,800 in appliance purchases by debiting a non-existent account at Depository Trust and Clearing Corporation, a commercial bank in New York City that clears stock and bond transactions for major stockbrokers, but does not have accounts with any individuals (including you asshole).

You are a thief with mental illness. You are an idiot who will get what you deserve. You will be in jail in a matter of a year or two, because you can't help yourself.

I am one of many people who absolutely despises you. We will be watching from the sidelines as the Judicial system takes its course

Wednesday, February 17, 2010 AOL: RonpaulSilver

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	*	Docket No. 08-cr-054,
	*	09-cr-121, and 09-cr-141
	*	
	*	Buffalo, New York
v.	*	February 18, 2010
	*	<u>10:01 a.m.</u>
	*	
SHANE C. BUCZEK,	*	STATUS CONFERENCE
	*	
Defendant.	*	
	*	
* * * * *	*	

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE WILLIAM M. SKRETNY
UNITED STATES CHIEF DISTRICT JUDGE

APPEARANCES:

For the Government: MARY C. BAUMGARTEN
ANTHONY M. BRUCE
Assistant United States Attorney
Appearing for the United States

For the Defendant:  SHANE C. BUCZEK, pro se
BRIAN P. COMERFORD,
Attorney Advisor

Court Reporter: PATRICIA A. GALAS,
Notary Public
Jack W. Hunt & Associates, Inc.
1420 Liberty Building
Buffalo, New York 14202
(716) 853-5600

Proceedings recorded by mechanical stenography,
transcript produced by computer.

1 **THE COURT:** We are done with it now, because it is the
2 day of reckoning, basically.

3 **THE DEFENDANT:** That's why I'm still looking for the
4 claim.

5 **THE COURT:** Well, take my word for it in this regard,
6 the claim is the indictment. You don't want to accept it, but
7 that is the claim.

8 All right. So you have to deal with that part of it,
9 Mr. Buczek, and then we go from there.

10 **THE DEFENDANT:** Why are you going to the bank case
11 before we get to the passport case? That's out of order, isn't
12 it?

13 **THE COURT:** No, not in this case.

14 **THE DEFENDANT:** Judge, one thing, lastly. I have a
15 copy of two e-mails I received yesterday I would like you to
16 see. Maybe you want to keep it on the private side? And I have
17 a copy for --

18 **THE COURT:** No.

19 * **THE DEFENDANT:** Then I want to make a record of it. I
20 got two threatening e-mails yesterday sent to my e-mail box. I
21 did print them off and I do have a copy for the U.S. Attorney.

22 **THE COURT:** Well -- I'm sorry, Mr. Buczek, go ahead.

23 **MR. BUCZEK:** Thank you, Your Honor. I love that
24 statement up there and I know you adhere to it.

25 The one thing that we are very concerned about and

1 she know the rules. If it's not evidentiary proper or if it's
2 not procedurally proper under the rules, I will have to what I
3 call sustain the objection, which means you can't get it in.

4 So work on that. Work through it with Mr. Comerford
5 and we'll see you back here on the --

6 **THE DEFENDANT:** Judge I can't do that, you know that.
7 I have a document that I'd like to file and it wraps around the
8 whole jurisdiction issue.

9 *And I appreciate your concern about me and I know you
10 have taken an oath of office to protect me, but in my mind if we
11 had a Government, if we did have a Government, I would not be
12 standing in this room right now. * ↑

13 And under the Seventh Amendment, you must have
14 controversy exceeding \$20. And I know you know about Article 1,
15 Section 10, that all of that is supposed to be paid back in gold
16 and silver. And I know we're not operating under the
17 Constitution, but I still want to put it on the record.

18 → And there is no money, there is no controversy, there
19 is no case, there is no real party, there is no ratification and
20 commencement. This is getting ridiculous. Thank you.

21 **THE COURT:** Fair enough, that's your defense. If you
22 choose to do it in a way that it can be presented to a jury
23 within the four corners of proper evidentiary and procedural
24 rules, go for it. That's your right.

25 I'll try to manage it as best I can. You have a lot

1 at stake here. Think about that. Principle, it's a good thing.
2 Reality is a good thing. Work them together.

3 **THE DEFENDANT:** So, Judge, Brian is going to be standby?

4 **THE COURT:** Yes.

5 **THE DEFENDANT:** And I'll be able to file this document
6 I wanted to put in?

7 **THE COURT:** Yes, you can file it but with his advice.
8 Go over it with him just to make sure it's not going to be
9 bounced back at you, because if it's not the proper form that
10 complies with our rules for filing, Mr. Buczek, it won't be
11 accepted. So you've got to do it that way. * The rules whether
12 you like them, whether I like them -- I don't like some of these
13 rules.

14 * **THE DEFENDANT:** Oh, I know, they're crazy. *

15 * **THE COURT:** And some of them are crazy, but for the
16 most part, when you work through it, they work. *

17 **THE DEFENDANT:** Well, you know, I was downstairs with
18 Judge Schroeder 27 times or whatever and I've gotten to know him
19 over the last couple years and developed a relationship with him
20 that -- that I've learned a lot. And reason why I'm bringing
21 this up is because I understand where you're coming from.

22 And as I was going along, I did make some mistakes,
23 but the things I want to present in front of you, an attorney
24 can't do that. My whole issue is getting back to the
25 ratification and commencement. And not that I'm trying to --

EXHIBIT “B”

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/20/2009

Pursuant to a Search Warrant issued by United States Magistrate Judge JEREMIAH J. MCCARTHY, Western District of New York, a search was conducted at 7335 Derby Road, Derby, NY, on January 16, 2009. Immediately preceding the execution of the search warrant was the execution of an arrest warrant for SHANE CHRISTOPHER BUCZEK, of 7335 Derby Road, Derby, NY.

The personnel involved in the search of the residence were as follows:

SA Henry C. Falkowski, FBI
 SA Michael Hubert, FBI
 SA Tom Callaghan, FBI
 SA Christopher Hubert, Diplomatic Security Service
 Task Force Officer, Joseph Butta, Federal Protection Service
 SA James Lewer, Alcohol Tobacco, and Firearms
 Scott Kowski, U.S. Probation
 SA Edward Needham, FBI
 SA William Bates, U.S. Department of Defense
 Kristen Kemmlein, Treasury Inspector General of Taxation Administration
 SA Jason Schachner, FBI
 SA Andrew Abramowitz, FBI
 SA William Fallon, FBI
 Judith Davidson FBI, Asset Forfeiture Investigator
 Lead Border Patrol Agent Larry Jay, U.S. Border Patrol
 Detective Edward Guzdek, Amherst Police Department
 Federal Air Marshall Glenn Maier
 Detective Timothy Salamone, Buffalo Police Department
 Photographic Specialist Charlene Abbatoy, FBI
 SA Brian Oman, FBI

The search consisted of the entire two story residence, which was found to be in a clean condition, and consisted of a full basement, kitchen, living room, two dens/offices, four bedrooms, and three bathrooms.

The following log represents certain events which occurred during the course of this search and the approximate time at which they occurred:

Investigation on 01/16/2009 at Derby, NY

File # 266M-BF-39552

Date dictated 01/20/2009

by SA Jason Schachner
SA Henry C. Falkowski/hcf

09-CR-121
 3500L

NOTES

ATTORNEYS UNDER THE FOREIGN AGENTS REGISTRATION ACT OF 1938

For the past two years the Foreign Agents Registration Act of 1938¹ has been the center of much debate and criticism. In the spring of 1963, the Senate Committee on Foreign Relations conducted a series of hearings, which brought to light a mushrooming of representational activity, and searched into the apparent failure of the Department of Justice to enforce the act; through these inquiries, the committee attempted to clarify the act's purposes and scope. Soon after these hearings, important amendments were proposed by Senators Fulbright and Hickenlooper and passed by the Senate near the end of the final session of the 88th Congress.² The amendments will probably be reintroduced in the 89th Congress. Finally, the Supreme Court last Term in *Rabinowitz v. Kennedy*³ dealt for the first time with the applicability of the act to practicing attorneys and seemed, through the use of broad language, to extend the act to activities never before thought to come within its scope.

This Note will deal with the status of attorneys under the act today. The potential effects of the proposed amendments will also be considered, and certain alterations will be proposed to ensure that the goals of the amendments are actually achieved.

I. THE ACT TODAY

A. *The General Scheme*

1. *Basic Provisions.* — The core of the Foreign Agents Registration Act lies in its first three sections, which define the operative terms "foreign principal" and "agent of a foreign principal," require registration by those defined as agents, and provide certain broad exemptions from the act. The term "foreign principal" is broadly defined to include not merely foreign governments and foreign political parties but also, with certain minor exceptions,⁴ all individuals, groups of individuals, or corporations located outside the United States.⁵ "Agent

¹ As amended, 56 Stat. 249 (1942), as amended, 22 U.S.C. §§ 611-21 (1958), as amended, 22 U.S.C. §§ 611-13 (Supp. V, 1964).

² S. 2136, 88th Cong., 2d Sess. (1964) (as reported with committee amendments) [hereinafter cited as S. 2136]. The bill was passed by voice vote with a minor amendment on July 6, 1964. See 110 CONG. REC. 15485, 15498 (daily ed. July 6, 1964). Since the bill was not passed in the House before the end of the session, it has, of course, no legislative force.



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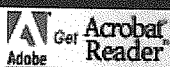
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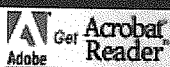
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TITLE 22--FOREIGN RELATIONS AND INTERCOURSE

CHAPTER 11--FOREIGN AGENTS AND PROPAGANDA

SUBCHAPTER I--GENERALLY

Sec. 601. Repealed. June 25, 1948, ch. 645, Sec. 21, 62 Stat. 862, eff.
Sept. 1, 1948

[TEXT](#)

SUBCHAPTER II--REGISTRATION OF FOREIGN PROPAGANDISTS

Sec. 611. Definitions

[TEXT](#)

Sec. 612. Registration statement

[TEXT](#)

Sec. 613. Exemptions

[TEXT](#)

Sec. 614. Filing and labeling of political propaganda

[TEXT](#)

Sec. 615. Books and records

[TEXT](#)

Sec. 616. Public examination of official records; transmittal of records and
information

[TEXT](#)

Sec. 617. Liability of officers

[TEXT](#)

Sec. 618. Enforcement and penalties

[TEXT](#)

Sec. 619. Territorial applicability of subchapter

[TEXT](#)

Sec. 620. Rules and regulations

[TEXT](#)

Sec. 621. Reports to Congress

[TEXT](#)

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Last updated: >>December 23, 2008

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REGISTRATION ACT**[FARA SEMI-ANNUAL REPORTS TO
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§ 611 ET SEQ.\)](#)[FARA FEE SCHEDULE](#)[RELATED STATUTES](#)[FARA FAQ](#)[CONTACT FARA](#)[NSD FOIA](#)[NSD HOME](#)[DOJ HOME](#)**FARA DATABASE SEARCH**[QUICK SEARCH NEW!](#)[By Primary Registrant](#)[By Short Form Registrant](#)[By Foreign Principal](#)[DOCUMENT SEARCH](#)**Foreign Agents Registration Act**

The Foreign Agents Registration Act (FARA) was enacted in 1938. FARA is a disclosure statute that requires persons acting as agents of foreign principals in a political or quasi-political capacity to make periodic public disclosure of their relationship with the foreign principal, as well as activities, receipts and disbursements in support of those activities. Disclosure of the required information facilitates evaluation by the government and the American people of the statements and activities of such persons in light of their function as foreign agents. The FARA Registration Unit of the Counterespionage Section (CES) in the National Security Division (NSD) is responsible for the administration and enforcement of the Act.

Public information relating to the Foreign Agents Registration Act (FARA) may be obtained in person at the FARA Registration Unit Public Office located at:

**Department of
Justice
Registration Unit
1400 New York
Avenue, N.W.
1st Floor - Public
Office
Suite 100
Washington, D.C.
20005**

**Public Office
Research
Hours of
Operation:**

**Monday - 11:00 a.m. -
Friday 3:00 p.m.**

Filing Hours:

**Monday - 8:30 a.m. -
Friday 5:00 p.m.**

FARA Forms

Choose the appropriate form by selecting a link below.

[• Registration Statement](#)[• Short-Form Registration
Statement](#)[• Supplemental Statement](#)[• Exhibit A](#)[• Amendment to Registration
Statement](#)[• Exhibit B](#)**Law Links**

- **22 U.S.C. § 611 et seq** - United States Code

- **Title 28 C.F.R. Part 5** - Judicial Administration

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Department of Justice**§5.1**

in support thereof. The Commission may order the taking of additional evidence and may request the applicant and others to appear before it. The Commission may invite oral argument before it on such questions as it desires.

§4.15 Certificate of Exemption.

The applicant, the Secretary and others to whom notice has been sent pursuant to §4.7 shall be served a copy of the Commission's decision and order with respect to each application. Whenever the Commission decision is that the application be granted, the Commission shall issue a Certificate of Exemption to the applicant. The Certificate of Exemption shall extend only to the stated employment with the prospective employer named in the application.

§4.16 Rejection of application.

No application for a Certificate of Exemption shall be accepted from any person whose application for a Certificate of Exemption has been withdrawn, deemed withdrawn due to failure to remedy deficiencies in a timely manner, or denied by the Commission within the preceding 12 months.

§4.17 Availability of decisions.

The Commission's Decisions under both Acts are available for examination in the Office of the U.S. Parole Commission, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815-7286. Copies will be mailed upon written request to the Office of General Counsel, U.S. Parole Commission, at the above address at a cost of ten cents per page.

(28 U.S.C. 509 and 510, 5 U.S.C. 301)

[44 FR 6890, Feb. 2, 1979, as amended at 46 FR 52354, Oct. 27, 1981]

**PART 5—ADMINISTRATION AND
ENFORCEMENT OF FOREIGN
AGENTS REGISTRATION ACT OF
1938, AS AMENDED**

Sec.

- 5.1 Administration and enforcement of the Act.
- 5.2 Inquiries concerning application of the Act.

- 5.3 Filing of a registration statement.
- 5.4 Computation of time.
- 5.5 Registration fees.
- 5.100 Definition of terms.
- 5.200 Registration.
- 5.201 Exhibits.
- 5.202 Short form registration statement.
- 5.203 Supplemental statement.
- 5.204 Amendments.
- 5.205 Termination of registration.
- 5.206 Language and wording of registration statement.
- 5.207 Incorporation by reference.
- 5.208 Disclosure of foreign principals.
- 5.209 Information relating to employees.
- 5.210 Amount of detail required in information relating to registrant's activities and expenditures.
- 5.211 Sixty-day period to be covered in initial statement.
- 5.300 Burden of establishing availability of exemption.
- 5.301 Exemption under section 3(a) of the Act.
- 5.302 Exemptions under sections 3(b) and (c) of the Act.
- 5.303 Exemption available to persons accredited to international organizations.
- 5.304 Exemptions under sections 3(d) and (e) of the Act.
- 5.305 Exemption under section 3(f) of the Act.
- 5.306 Exemption under section 3(g) of the Act.
- 5.307 Exemption under 3(h) of the Act.
- 5.400 Filing of informational materials.
- 5.402 Labeling informational materials.
- 5.500 Maintenance of books and records.
- 5.501 Inspection of books and records.
- 5.600 Public examination of records.
- 5.601 Copies of records and information available.
- 5.800 Ten-day filing requirement.
- 5.801 Activity beyond 10-day period.
- 5.1101 Copies of the Report of the Attorney General.

AUTHORITY: 28 U.S.C. 509, 510; Section 1, 56 Stat. 248, 257 (22 U.S.C. 620); title I, Pub. L. 102-395, 106 Stat. 1828, 1831 (22 U.S.C. 612 note).

SOURCE: Order No. 376-67, 32 FR 6362, Apr. 22, 1967, unless otherwise noted.

§5.1 Administration and enforcement of the Act.

(a) The administration and enforcement of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611-621) (Act), subject to the general supervision and direction of the Attorney General, is assigned to, and conducted, handled, and supervised by, the Assistant Attorney General for National Security.

§ 5.2**28 CFR Ch. I (7-1-07 Edition)**

(b) The Assistant Attorney General for National Security is authorized to prescribe such forms, in addition to or in lieu of those specified in the regulations in this part, as may be necessary to carry out the purposes of this part.

(c) Copies of the Act, and of the rules, regulations, and forms prescribed pursuant to the Act, and information concerning the foregoing may be obtained upon request without charge from the National Security Division, Department of Justice, Washington, DC 20530.

[Order No. 2865-2007, 72 FR 10068, Mar. 7, 2007]

§ 5.2 Inquiries concerning application of the Act.

(a) *General.* Any present or prospective agent of a foreign principal, or the agent's attorney, may request from the Assistant Attorney General for National Security a statement of the present enforcement intentions of the Department of Justice under the Act with respect to any presently contemplated activity, course of conduct, expenditure, receipt of money or thing of value, or transaction, and specifically with respect to whether the same requires registration and disclosure pursuant to the Act, or is excluded from coverage or exempted from registration and disclosure under any provision of the Act.

(b) *Anonymous, hypothetical, non-party and ex post facto review requests excluded.* The entire transaction which is the subject of the review request must be an actual, as opposed to hypothetical, transaction and involve disclosed, as opposed to anonymous, agents and principals. Review requests must be submitted by a party to the transaction or the party's attorney, and have no application to a party that does not join in the request. A review request may not involve only past conduct.

(c) *Fee.* All requests for statements of the Department's present enforcement intentions must be accompanied by a non-refundable filing fee submitted in accordance with § 5.5.

(d) *Address.* A review request must be submitted in writing to the Assistant Attorney General for National Security, Department of Justice, Washington, DC 20530.

(e) *Contents.* A review request shall be specific and contain in detail all relevant and material information bearing on the actual activity, course of conduct, expenditure, receipt of money or thing of value, or transaction for which review is requested. There is no prescribed format for the request, but each request must include:

(1) The identity(ies) of the agent(s) and foreign principal(s) involved;

(2) The nature of the agent's activities for or in the interest of the foreign principal;

(3) A copy of the existing or proposed written contract with the foreign principal or a full description of the terms and conditions of each existing or proposed oral agreement; and

(4) The applicable statutory or regulatory basis for the exemption or exclusion claimed.

(f) *Certification.* If the requesting party is an individual, the review request must be signed by the prospective or current agent, or, if the requesting party is not an individual, the review request must be signed on behalf of each requesting party by an officer, a director, a person performing the functions of an officer or a director of, or an attorney for, the requesting party. Each such person signing the review request must certify that the review request contains a true, correct and complete disclosure with respect to the proposed conduct.

(g) *Additional information.* Each party shall provide any additional information or documents the National Security Division may thereafter request in order to review a matter. Any information furnished orally shall be confirmed promptly in writing, signed by the same person who signed the initial review request and certified to be a true, correct and complete disclosure of the requested information.

(h) *Outcomes.* After submission of a review request, the National Security Division, in its discretion, may state its present enforcement intention under the Act with respect to the proposed conduct; may decline to state its present enforcement intention; or, if circumstances warrant, may take such other position or initiate such other action as it considers appropriate. Any